



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

LCC:ddj
Docket No: 7436-99
14 March 2000

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

[REDACTED]

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 14 March 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 520 PERS 862 of 16 February 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

5420
PERS-862
FEB 16 2000

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION
OF NAVAL RECORDS (BCNR)

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: COMMENTS AND RECOMMENDATIONS IN THE CASE OF
[REDACTED]

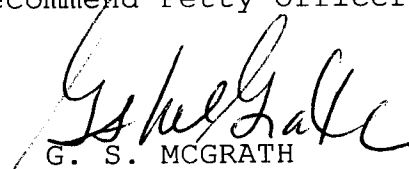
Ref: (a) Assistant for BCNR Matters 5420 Pers-00ZCB Memo of
21 Jan 00

Encl: (1) BCNR File #07436-99 w/Microfiche
(2) Chief of Naval Personnel ltr 1430 Pers-R32 of 23 Oct 84

1. Per reference (a), the following comments and recommendations
are submitted concerning Petty Officer [REDACTED] case.

2. After a thorough review of Petty Officer [REDACTED] microfiche
and Navywide examination records, there is evidence of member
being selected for advancement to Petty Officer Second Class while
on active duty. However, member was released from active duty
5 June 1984, prior to his scheduled advancement date of
16 December 1984. Regulations authorizing advancement for the
time period specified in Petty Officer [REDACTED] BCNR in the Naval
Reserve was based upon participation in a Navywide active duty
advancement examination. To be authorized advancement to GMG2 in
the Naval Reserve based upon participation in a Navywide active
duty advancement examination subsequent to 1 February 1982, member
must have achieved a minimum final multiple score of 161.87 on his
last active duty advancement examination for GMG2. Petty Officer
[REDACTED]s final multiple score was 123.08.

3. In view of the above, we recommend Petty Officer [REDACTED]
petition be denied.


G. S. MCGRATH
By direction